

**UNITED STATES BANKRUPTCY COURT**  
Eastern District of Virginia

**Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines**

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on May 14, 2013.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. Electronically filed documents may be viewed on Court's web site, [www.vaeb.uscourts.gov](http://www.vaeb.uscourts.gov). Computer access available in Clerk's Office at address shown below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

**Creditors -- Do not file this notice in connection with any proof of claim you submit to the court.**

**See Reverse Side For Important Explanations.**

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Donald Roy Wirth  
953 Sedley Rd.  
Virginia Beach, VA 23462

Case Number: 13-71833-FJS  
Office Code: 2

Last four digits of Social-Security or Individual Taxpayer-ID (ITIN)  
No(s)/Complete EIN:  
xxx-xx-2477

Attorney for Debtor(s) (name and address):

Kenneth A. Moreno  
Kenneth A. Moreno, PLLC  
1553 S. Military Hwy., Suite 100  
Chesapeake, VA 23320  
Telephone number: (757) 486-1938

Bankruptcy Trustee (name and address):

John C. McLemore  
John C. McLemore, P.C.  
500 E. Main Street, Suite 1210  
Norfolk, VA 23510  
Telephone number: 757-625-4300

**Meeting of Creditors:**

Date: **June 13, 2013**

Time: **02:00 PM**

Location: **Office of the U.S. Trustee, 200 Granby Street, Room 120, Norfolk, VA 23510**

**Presumption of Abuse under 11 U.S.C. § 707(b)**

*See "Presumption of Abuse" on reverse side.*

The presumption of abuse does not arise.

**Deadlines:**

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

**Deadline to Object to Debtor's Discharge or to Challenge Dischargeability of Certain Debts:**  
**August 12, 2013**

**Deadline to Object to Exemptions:**

Thirty (30) days after the *conclusion* of the meeting of creditors or within thirty (30) days after any amendment to the list or supplemental schedules is filed, whichever is later.

**Creditors May Not Take Certain Actions:**

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

**Creditor with a Foreign Address:**

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

**Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.**

**Address of the Bankruptcy Clerk's Office:**

600 Granby St., Room 400  
Norfolk, VA 23510

**For the Court:**

Clerk of the Bankruptcy Court:  
William C. Redden

**McVCIS 24-hour case information:**

Toll Free 1-866-222-8029

Date: May 15, 2013

## EXPLANATIONS

B9A (Official Form 9A) (12/12)

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
<b>Legal Advice</b>	The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
Presumption of Abuse	If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under § 707(b) of the Bankruptcy Code. The debtor may rebut the presumption by showing special circumstances.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date specified in a notice filed with the court.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline. <i>Do not include this notice with any filing you make with the court.</i>
Creditor with a Foreign Address	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code §727(a) or that a debt owed to you is not dischargeable under Bankruptcy Code §523(a)(2), (4), or (6), you must file a complaint — or a motion if you assert the discharge should be denied under §727(a)(8) or (a)(9) — in the bankruptcy clerk's office by the "Deadline to Object to Debtor's Discharge or to Challenge the Dischargeability of Certain Debts" listed on the front of this form. The bankruptcy clerk's office must receive the complaint or motion and any required filing fee by that Deadline.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objections by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any document that you file in this bankruptcy case should be filed either electronically, or with the Clerk's Office in Norfolk. You may view electronically filed documents, including list of debtor's property and debts and list of property claimed exempt, on Clerk's web site, <a href="http://www.vaeb.uscourts.gov">www.vaeb.uscourts.gov</a> , or at Clerk's office in Norfolk. See address on front side of this notice.

### — — Refer to Other Side for Important Deadlines and Notices — —

**LOCAL RULE DISMISSAL WARNING:** Case may be dismissed for failure to timely file lists, schedules and statements, or to attend meeting of creditors. (Local Bankruptcy Rules 1007-1, 1007-3, and 2003-1.) Trustee may at the meeting give notice of intention to abandon property burdensome or of inconsequential value or intent to sell nonexempt property that has an aggregate gross value less than \$2,500. Objections thereto must be filed pursuant to Local Bankruptcy Rules 6004-2 and 6007-1.

**PHOTOCOPIES:** May be obtained by contacting Creative Assistant at (757) 624-9990 or by fax at (757) 624-9998.

**PAYMENT OF FEES FOR NEWPORT NEWS CASE AND ADVERSARY FILINGS AND MISCELLANEOUS REQUESTS:**

**Newport News:** non-debtor's check, money order, cashier's check or any authorized non-debtor's credit card; for security reasons, no cash accepted at Newport News location.

**Norfolk:** same as above; however cash is accepted.

*Electronic bankruptcy notices are delivered faster than the U.S. Mail if you have a PC with Internet connection or a Fax machine. For more information, go to <http://vaeb.uscourts.gov/ebn/index.htm> or call, toll free: 877-837-3424. Case/docket information available on Internet @ [www.vaeb.uscourts.gov](http://www.vaeb.uscourts.gov)*

**Certificate of Notice Page 3 of 4**  
 United States Bankruptcy Court  
 Eastern District of Virginia

In re:  
 Donald Roy Wirth  
 Debtor

Case No. 13-71833-FJS  
 Chapter 7

**CERTIFICATE OF NOTICE**

District/off: 0422-8

User: nobilea  
 Form ID: B9A

Page 1 of 2  
 Total Noticed: 21

Date Rcvd: May 15, 2013

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 17, 2013.

db  
 11792983 +Donald Roy Wirth, 953 Sedley Rd., Virginia Beach, VA 23462-6934  
 11792984 +Capital One/Best Buy, 26525 N Riverwoods Blvd, Mettawa, IL 60045-3438  
 11792984 +Chase, PO Box 24696, Columbus, OH 43224-0696  
 11792987 +FHA, US Dept. of HUD, 451 7th Street S.W., Washington, DC 20410-0001  
 11792989 +HSBC/Best Buy, PO Box 30253, Salt Lake City, UT 84130-0253  
 11792991 +Kathleen E. Wirth, 3218 Treasur Hills Blvd., Harlingen, TX 78550-7800  
 11792992 +Samuel White, PC, 5040 Corporate Woods Dr., #120, Virginia Beach, VA 23462-4377  
 11792994 +Shapir & Burson, LLP, 236 Clearfield Ave., Suite 215, Virginia Beach, VA 23462-1893  
 11793228 +US Attorney's Office, 101 W. Main Street, #8000, Norfolk, VA 23510-1671  
 11792995 US Bank NA ND, CB Disputes, Saint Louis, MO 63166-0000  
 11792997 ++WELLS FARGO BANK NA, WELLS FARGO HOME MORTGAGE AMERICAS SERVICING,  
 ATTN BANKRUPTCY DEPT MAC X7801-014, 3476 STATEVIEW BLVD, FORT MILL SC 29715-7203  
 (address filed with court: Wells Fargo Home Mortgage, 8480 Stagecoach Cir,  
 Frederick, MD 21701-0000)

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. aty

E-mail/Text: kamoreno@msn.com May 16 2013 06:21:11 Kenneth A. Moreno,  
 Kenneth A. Moreno, PLLC, 1553 S. Military Hwy., Suite 100, Chesapeake, VA 23320  
 tr +EDI: BJCMCLEMENT.COM May 16 2013 08:03:00 John C. McLemore, John C. McLemore, P.C.,  
 500 E. Main Street, Suite 1210, Norfolk, VA 23510-2204  
 11792981 +EDI: BECKLEE.COM May 16 2013 08:03:00 American Express, PO Box 3001,  
 16 General Warren Blvd, Malvern, PA 19355-1245  
 11792982 +EDI: BANKAMER.COM May 16 2013 08:03:00 Bank of America, Attn: Bankruptcy Dept,  
 PO Box 26012, Greensboro, NC 27420-6012  
 11792985 +EDI: CITICORP.COM May 16 2013 08:03:00 Citibank SD, NA, Attn: Centralized Bankruptcy,  
 PO Box 20363, Kansas City, MO 64195-0363  
 11792986 +EDI: DISCOVER.COM May 16 2013 08:03:00 Discover Fin Svcs LLC, PO Box 15316,  
 Wilmington, DE 19850-5316  
 11792988 +EDI: RMSC.COM May 16 2013 08:03:00 GECRB/HHGregg, Po Box 965036, Orlando, FL 32896-5036  
 11792990 EDI: IRS.COM May 16 2013 08:03:00 IRS, Special Procedures, PO Box 10025,  
 Richmond, VA 23240-0025  
 11792993 +EDI: SEARS.COM May 16 2013 08:03:00 Sears/CBNA, PO Box 6282, Sioux Falls, SD 57117-6282  
 11792996 +EDI: USAA.COM May 16 2013 08:08:00 USAA Savings Bank, 10750 Mcdermott,  
 San Antonio, TX 78288-1600

TOTAL: 10

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

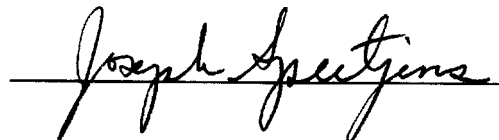
Addresses marked '++' were redirected to the recipient's preferred mailing address  
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 17, 2013

Signature:



District/off: 0422-8

User: nobilea  
Form ID: B9A

Page 2 of 2  
Total Noticed: 21

Date Rcvd: May 15, 2013

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 15, 2013 at the address(es) listed below:

John C. McLemore ch7trustee@verizon.net; VA36@ecfcbis.com;regina\_ch7@verizon.net  
Kenneth A. Moreno on behalf of Debtor Donald Roy Wirth kamoreno@msn.com

TOTAL: 2